



2823\$

AMENDMENT TRANSMITTAL LETTER

Docket No.
101361-0043

Application No.
09/884,451-Conf. #1957

Filing Date
June 19, 2001

Examiner
Maldonado, Julio J.

Art Unit
2823

Applicant(s): Robert P. Dolan, Bernhard F. Cordts, III, and Malvin Farley

Invention: SIMOX USING CONTROLLED WATER VAPOR FOR OXYGEN IMPLANTS

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	15	- 20 =	0	x 18.00	0.00
Independent Claims	6	- 3 =	3	x 84.00	252.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					252.00

☐ Large Entity

☒ Small Entity

☒ No additional fee is required for this amendment.

☐ Please charge Deposit Account No. _____ in the amount _____
A duplicate copy of this sheet is enclosed.

☒ A check in the amount of \$ 252.00 to cover the filing fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge and credit Deposit Account 141449
as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and

Reza Mollaaghababa
Attorney Reg. No.: 43,810

Dated: June 26, 2003

NUTTER MCCLENNEN & FISH LLP
World Trade Center West
155 Seaport Boulevard
Boston, Massachusetts 02210-2604
(617) 439-2000

Amendment Transmittal

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 26, 2003

Signature: (Reza Mollaaghababa)

TECHNOLOGY CENTER 2800

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/884,451
Filing Date	June 19, 2001
First Named Inventor	Robert P. Dolan
Examiner Name	Maldonado, Julio
Group Art Unit	2823
Attorney Docket No.	101316-43

TOTAL AMOUNT OF PAYMENT (\$)
252.00

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number
141449

Deposit Account Name

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
15	-20** = 1	18.00	0.00
Independent Claims	6	-3** = 3	84.00 = 252.00
Multiple Dependent			

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)
252.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

TRANSMITTED BY

Name (print/type) Reza Mollaaghababa

Signature

Registration No. (Attorney/Agent)

43,810

Complete (if applicable)

Telephone (617) 439-2514

Date

June 26, 2003

Fee Transmittal

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Dated: June 26, 2003

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(Reza Mollaaghababa)



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Dated: June 26, 2003

Signature:

(Reza Mollaaghababa)

Docket No.: 101361-0043
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Robert P. Dolan, et al

Application No.: 09/884,451

Group Art Unit: 2823

Filed: June 19, 2001

Examiner: Julio J. Maldonado

For: SIMOX USING CONTROLLED WATER
VAPOR FOR OXYGEN IMPLANTS

RESPONSE

Box Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed from the United States Patent and Trademark Office on March 28, 2003, Applicants provide the following amendments and remarks to place the application in condition for allowance.

REMARKS

Claims 1-13 are pending in this application. Claims 1 and 2 are amended, allowable claim 10 is rewritten as an independent claim to include the features of claims 8 and 1 on which it depends, and new claims 20-25 are added. Further, claims 3-5 are canceled without prejudice. The subject matter of these claims is incorporated in the new claims. Claims 14-19, which were previously withdrawn in the previous Office Action from consideration as being directed to an invention that is independent or distinct from the invention recited in the remaining claims, are canceled. Hence, claims 1, 2, 6-13 and 20-25 are presently pending for examination. Support for the amendments and the new claims can be found in the original claims and throughout the

13/c Amdt
7-11-03
A. Well

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